

REMARKS

The Examiner is thanked for the thorough examination of the present application. The Office Action mailed June 8, 2007 rejected claims 1-2, 4-21, and 23-28. This is a full and timely response to that outstanding Office Action.

I. Present Status of Patent Application

Claims 1-2, 4-7, 21, and 23-25 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Alexander, III, et al.* (U.S. Publication No. 2002/0080938) in view of *Ortega, et al.* (U.S. Patent No. 6,853,993). Claims 8-20 and 26-28 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Alexander, III, et al.* (U.S. Publication No. 2002/0080938) in view of *Ortega, et al.* (U.S. Patent No. 6,853,993) in further view of *Gross, et al.* (U.S. Patent No. 6,782,510). These rejections are respectfully traversed.

II. Rejections Under 35 U.S.C. §103(a)

A. Claims 1, 2, and 4-7

The Office Action rejects claims 1, 2, and 4-7 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Alexander, III, et al.* (U.S. Publication No. 2002/0080938) in view of *Ortega, et al.* (U.S. Patent No. 6,853,993). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 1 recites:

1. A method of providing a system for automatically checking for an incorrect e-mail address in an outgoing e-mail communication, comprising:
 - creating an incoming domain name list in a memory;
 - receiving an incoming email communication;
 - extracting a domain name from a sender's email address from the incoming email communication;
 - storing the domain name in the incoming domain name list in the memory;
 - checking if a domain name of an e-mail address associated with an intended recipient of an outgoing e-mail communication is included in the incoming domain name list in the memory;**
 - checking if a discrepancy exists between a domain name of an e-mail address associated with an intended recipient of an outgoing e-mail communication and a domain name included in the incoming domain name list in the memory by detecting when there is at least one but no more than a maximum number of discrepancies between a domain name in the domain name database and the extracted domain name; and
 - transmitting the outgoing email communication if the domain name is included in the incoming domain name list, otherwise generating a prompt for a user to confirm an e-mail address associated with the intended recipient of the outgoing e-mail communication.

(Emphasis added).

Applicant respectfully submits that claim 1 patently defines over the cited art for at least the reason that the cited art does not disclose the features emphasized above. For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue. See, e.g., *In re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that the combination of *Alexander* and *Ortega* does not disclose, teach, or suggest at least **checking if a domain name of an e-mail address associated with an intended recipient of an outgoing e-mail communication is included in the**

incoming domain name list in the memory. Even if, assuming for the sake of argument, *Alexander* checks an incoming signal, *Alexander* fails to disclose checking if a domain name of an e-mail address associated with an intended recipient of an outgoing e-mail communication is included in the incoming domain name list in the memory. Even if, assuming for the sake of argument, *Ortega* discloses a spell checker, *Ortega* fails to disclose checking if a domain name of an e-mail address associated with an intended recipient of an outgoing e-mail communication is included in the incoming domain name list in the memory.

Additionally, neither *Alexander* nor *Ortega* discloses checking if a discrepancy exists between a domain name of an e-mail address associated with an intended recipient of an outgoing e-mail communication and a domain name included in the incoming domain name list in the memory by detecting when there is at least one but no more than a maximum number of discrepancies between a domain name in the domain name database and the extracted domain name; and transmitting the outgoing email communication if the domain name is included in the incoming domain name list, otherwise generating a prompt for a user to confirm an e-mail address associated with the intended recipient of the outgoing e-mail communication. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 1, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 1 is allowable over the cited references of record, dependent claims 2 and 4-7 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2

and 4-7 contain all the features of independent claim 1. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 2 and 4-7 should be withdrawn and the claims allowed.

B. Claims 8-17

The Office Action rejects claims 8-17 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Alexander, III, et al.* (U.S. Publication No. 2002/0080938) in view of *Ortega, et al.* (U.S. Patent No. 6,853,993) in further view of *Gross, et al.* (U.S. Patent No. 6,782,510). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 8 recites:

8. A method of automatically checking for misspelled e-mail addresses in outgoing e-mail communications prior to transmission by an e-mail communications server, comprising:

- receiving email communications incoming to the email communications server;
- creating a domain name database;
- extracting domain names in sender's e-mail addresses from the e-mail communications incoming to the email communications server;
- storing extracted domain names in the domain name database;
- receiving outgoing e-mail communications from client computers connected to the e-mail communications server through a local network;
- searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of the outgoing e-mail communication**

provided in the outgoing e-mail communications by detecting when there is at least one but no more than a maximum number of discrepancies between a domain name in the domain name database and the extracted domain name; and generating an error prompt upon detecting that a domain name in an e-mail address provided in an outgoing e-mail communication is misspelled.

(Emphasis added).

Applicant respectfully submits that claim 8 patently defines over the cited art for at least the reason that the cited art does not disclose the features emphasized above. For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue.

Applicant respectfully submits that independent claim 8 is allowable for at least the reason that the combination of *Alexander*, *Ortega*, and *Gross* does not disclose, teach, or suggest at least **searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of the outgoing e-mail communication provided in the outgoing e-mail communications**. Even if, assuming for the sake of argument, *Alexander* checks an incoming signal, *Alexander* fails to disclose searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of the outgoing e-mail communication provided in the outgoing e-mail communications. Even if, assuming for the sake of argument, *Ortega* discloses a spell checker, *Ortega* fails to disclose searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of the outgoing e-mail communication provided in the outgoing e-mail communications. Even if, assuming for the sake of argument, *Gross* discloses checking

the substance of words, *Gross* fails to disclose searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of the outgoing e-mail communication provided in the outgoing e-mail communications.

Additionally, none of the references disclose detecting when there is at least one but no more than a maximum number of discrepancies between a domain name in the domain name database and the extracted domain name; and generating an error prompt upon detecting that a domain name in an e-mail address provided in an outgoing e-mail communication is misspelled. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 8, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 8 is allowable over the cited references of record, dependent claims 9-17 (which depend from independent claim 8) are allowable as a matter of law for at least the reason that dependent claims 9-17 contain all the features of independent claim 8. Therefore, the rejection to claims 9-17 should be withdrawn and the claims allowed.

C. Claims 18-20

The Office Action rejects claims 18-20 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Alexander, III, et al.* (U.S. Publication No. 2002/0080938) in view of *Ortega, et al.* (U.S. Patent No. 6,853,993) in further view of *Gross, et al.* (U.S.

Patent No. 6,782,510). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 18 recites:

18. An e-mail server for automatically checking for misspelled e-mail addresses in outgoing e-mail communications prior to transmission by an e-mail communications server, comprising:
an interceptor for extracting domain names from e-mail addresses provided in incoming and outgoing e-mail communications;
a database generator for generating a domain name database for storing domain names extracted from sender's e-mail addresses in incoming e-mail communications; and
a checker for searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of in the outgoing e-mail communications by detecting when there is at least one but no more than a maximum number of discrepancies between a domain name in the domain name database and the extracted domain name,
wherein the e-mail server prompts the user when it detects misspelled domain names in e-mail addresses in outgoing e-mail communications.

(Emphasis added).

Applicant respectfully submits that claim 18 patently defines over the cited art for at least the reason that the cited art does not disclose the features emphasized above. For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue.

Applicant respectfully submits that independent claim 18 is allowable for at least the reason that the combination of *Alexander*, *Ortega*, and *Gross* does not disclose, teach, or suggest at least **a checker for searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses**

associated with intended recipients of in the outgoing e-mail communications.

Even if, assuming for the sake of argument, *Alexander* checks an incoming signal, *Alexander* fails to disclose a checker for searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of in the outgoing e-mail communications. Even if, assuming for the sake of argument, *Ortega* discloses a spell checker, *Ortega* fails to disclose a checker for searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of in the outgoing e-mail communications. Even if, assuming for the sake of argument, *Gross* discloses checking the substance of words, *Gross* fails to disclose a checker for searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of in the outgoing e-mail communications.

Additionally, none of the references disclose detecting when there is at least one but no more than a maximum number of discrepancies between a domain name in the domain name database and the extracted domain name, wherein the e-mail server prompts the user when it detects misspelled domain names in e-mail addresses in outgoing e-mail communications. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 18, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 18 is allowable over the cited references of record, dependent claims 19 and 20 (which depend from independent

claim 18) are allowable as a matter of law for at least the reason that dependent claims 19 and 20 contain all the features of independent claim 18. Therefore, the rejection to claims 19 and 20 should be withdrawn and the claims allowed.

D. Claims 21 and 23-25

The Office Action rejects claims 21 and 23-25 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Alexander, III, et al.* (U.S. Publication No. 2002/0080938) in view of *Ortega, et al.* (U.S. Patent No. 6,853,993). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 21 recites:

21. A method of automatically checking for an incorrect e-mail address in an outgoing e-mail communication, comprising:
- creating an incoming email address list in a memory;
 - receiving an incoming email communication;
 - storing, in the incoming email address list in the memory, an email address extracted from the incoming email communication;
 - checking is an e-mail address associated with an intended recipient of the outgoing e-mail communication is included in the incoming email address list in the memory;
 - checking if a discrepancy exists between an e-mail address associated with an intended recipient of the outgoing e-mail communication and an email address included in the incoming email address list in the memory*** by detecting when there is at least one but no more than a maximum number of discrepancies between an email address in the email address list and the e-mail address associated with an intended recipient of the outgoing e-mail communication; and
 - transmitting the outgoing email communication if the e-mail address is included in the incoming email address list, otherwise generating a prompt for a user to confirm an e-mail address if the email address is not included in the incoming email address list.

(Emphasis added).

Applicant respectfully submits that claim 21 patently defines over the cited art for at least the reason that the cited art does not disclose the features emphasized above. For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue.

Applicant respectfully submits that independent claim 21 is allowable for at least the reason that the combination of *Alexander* and *Ortega* does not disclose, teach, or suggest at least **checking if a discrepancy exists between an e-mail address associated with an intended recipient of the outgoing e-mail communication and an email address included in the incoming email address list in the memory**. Even if, assuming for the sake of argument, *Alexander* checks an incoming signal, *Alexander* fails to disclose checking if a discrepancy exists between an e-mail address associated with an intended recipient of the outgoing e-mail communication and an email address included in the incoming email address list in the memory. Even if, assuming for the sake of argument, *Ortega* discloses a spell checker, *Ortega* fails to disclose checking if a discrepancy exists between an e-mail address associated with an intended recipient of the outgoing e-mail communication and an email address included in the incoming email address list in the memory.

Additionally, neither *Alexander* nor *Ortega* discloses detecting when there is at least one but no more than a maximum number of discrepancies between an email address in the email address list and the e-mail address associated with an intended recipient of the outgoing e-mail communication; and transmitting the outgoing email communication if the e-mail address is included in the incoming email address list,

otherwise generating a prompt for a user to confirm an e-mail address if the email address is not included in the incoming email address list. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 21, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 21 is allowable over the cited references of record, dependent claims 23-25 (which depend from independent claim 21) are allowable as a matter of law for at least the reason that dependent claims 23-25 contain all the features of independent claim 21. Therefore, the rejection to claims 23-25 should be withdrawn and the claims allowed.

E. Claims 26-28

The Office Action rejects claims 26-28 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Alexander, III, et al.* (U.S. Publication No. 2002/0080938) in view of *Ortega, et al.* (U.S. Patent No. 6,853,993) in further view of *Gross, et al.* (U.S. Patent No. 6,782,510). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 26 recites:

26. An e-mail communications system stored in a client computer for automatically checking for incorrect e-mail addresses provided in outgoing e-mail communications from the client computer prior to transmission to an e-mail server, comprising:
an address extractor for extracting sender's e-mail addresses from incoming e-mail communications;

a previous sender addresses memory for storing e-mail addresses extracted from sender's e-mail addresses in incoming e-mail communications;

a checker for searching the previous sender addresses memory for e-mail addresses of intended recipients that are provided in outgoing e-mail communications, and

a checker for searching for a discrepancy between a sender address and the previous sender addresses memory for e-mail addresses of intended recipients that are provided in outgoing e-mail communications by detecting when there is at least one but no more than a maximum number of discrepancies between a previous sender address in the previous sender address memory and the email address of an intended recipient,

wherein the checker generates a prompt for verification of an e-mail address of an intended recipient upon detecting that an e-mail address of an intended recipient in an outgoing e-mail communication is not present in the previous sender addresses memory.

(Emphasis added).

Applicant respectfully submits that claim 26 patently defines over the cited art for at least the reason that the cited art does not disclose the features emphasized above. For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue.

Applicant respectfully submits that independent claim 26 is allowable for at least the reason that the combination of *Alexander*, *Ortega*, and *Gross* does not disclose, teach, or suggest at least **a checker for searching the previous sender addresses memory for e-mail addresses of intended recipients that are provided in outgoing e-mail communications**. Even if, assuming for the sake of argument, *Alexander* checks an incoming signal, *Alexander* fails to disclose a checker for searching the previous sender addresses memory for e-mail addresses of

intended recipients that are provided in outgoing e-mail communications. Even if, assuming for the sake of argument, *Ortega* discloses a spell checker, *Ortega* fails to disclose a checker for searching the previous sender addresses memory for e-mail addresses of intended recipients that are provided in outgoing e-mail communications. Even if, assuming for the sake of argument, *Gross* discloses checking the substance of words, *Gross* fails to disclose a checker for searching the previous sender addresses memory for e-mail addresses of intended recipients that are provided in outgoing e-mail communications.

Additionally, none of the references disclose a checker for searching for a discrepancy between a sender address and the previous sender addresses memory for e-mail addresses of intended recipients that are provided in outgoing e-mail communications by detecting when there is at least one but no more than a maximum number of discrepancies between a previous sender address in the previous sender address memory and the email address of an intended recipient, wherein the checker generates a prompt for verification of an e-mail address of an intended recipient upon detecting that an e-mail address of an intended recipient in an outgoing e-mail communication is not present in the previous sender addresses memory. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 26, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 26 is allowable over the cited references of record, dependent claims 27 and 28 (which depend from independent

claim 26) are allowable as a matter of law for at least the reason that dependent claims 27 and 28 contain all the features of independent claim 26. Therefore, the rejection to claims 27 and 28 should be withdrawn and the claims allowed.

IV. Miscellaneous Issues

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-2, 4-21, and 23-28 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account No. 20-0778.

Respectfully submitted,

/BAB/

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